"I then left the hotel and Robin accom panied me to the arcade on the way back to the Governor's mansion, and as we parted I said to Robin: 'Robin, if I was in your place I would stay with my father as much as I could to-day.' It was nearing the lunch hour and I went back to the mansion; did not go to the Capitol.

Q. Well, how did Robin express him-Thank you, or- A. Robin thanked me and said that he thought all trouble was over and considered it that way; and I went to the Governor's mansion and stayed there until lunch. From there I went to the Capitol. I did not see Col. Cooper any more that day and I have not seen im from the time I left him at the Maxwell House until I have seen him 10-day After lunch I went back to the

Gov Patterson next said, after relating how he had left Col. Cooper and Mr. Brad-ford and had walked to the arcade with

I anticipated no trouble at all, be

was doing this the telephone bell rang. I answered it and the communication was from Mr. Bradford. Mr. Bradford told me that he had not been able to see the gentleman whom he had expected to see to adjust this matter but that he and Gen. Tully Brown hal taiked with Col. Cooper and that Col. Cooper had agreed to let the matter drop. I expressed my satisfaction and pleasure at the result.

After Gov. Patterson had related the story of the conference at the hotel and the result there was considerable discussion between the attorneys as to the admission of portions of the evidence and Judge Hart ruled that the result of the conference was admissible. Gov Patterson then testified that Robin Cooper was not only present at the conference. Patterson then testified that Robin Cooper was not only present at the conference. but was very much in favor of it. Robin Cooper was anxious for Mr. Bradford to make up the matter with a view to a peaceful settlement and for his father to turn the letter over to Mr. Bradford to settle. Robin Cooper's manner and demeanor were very quiet and pacific. After the witness and Mr. Cooper had left the hotel

for yourselves. First let me state that the settlement and for his father to turn the letter over to Mr. Bradford to settle. Robin Cooper's manner and demenor were very quiet and pacific. After the witness and Mr. Cooper had left the hotel he thanked the witness for what he had done in the way of trying to bring about a settlement of this trouble between his father and Mr. Carmack and his eyes filled with tears as he thanked the Governor for this service.

Besides Gov. Patterson the witnessee heard to-day were Dr. Richard Dake, R. A. Dillard and Prof. W. C. Kilvington, superintendent of the Tennessee Industrial School, all of whom heard the shrts while near the scene of the tragedy. The settlement of the tragedy. The effect that the first two shots were louder than the three others. The weapon carried by ex-Senator Carmack was .3s. Calibro while that used by Robin Cooper was .32. The theory of the defence is that the first two shots were fired by Mr. Carmack, that Robin Cooper returned the fire and that the difference in the sound was due to the larger calibre of Mr. Carmack, that Robin Cooper returned the first and that the others were in quick succession. Robin Cooper testified the other day to this effect when questioned in regard to the fatal meeting, claiming that Mr. Carmack opened fire on him and after the two shots he had returned the fire, ceasing when three shots in his automatic revolver had been discharged and he had seen Mr. Carmack fall.

EUGENE TOMPKINS'S WILL.

Mest of the \$1,000.000 Estate Goes teal.

Miss of the \$1,000.000 Estate Goes teal.

For yourselves. First let me state that there in the box and that the set and the meeting of when head the meeting of when had been body in the box. He asted that there will all there can be no body in the box. He asted that there is a that the difference in the sound of the transport of the set and that the others were in quick since the proposition of the set and that the difference in the sound of the proposition of the set and the set and the set and t

\$750,000 on the death of the widow, who to have the income during her life.

the Boston Theatre and the Academy of ment in the box. As an undertaker I he Boston Theatre and friends know had there been a body in that box get a total of \$45,000. Mrs. Tompkins is to have a certain sum outright and also the furniture, &c. The residue of the estate is then to be held in trust for the benefit of the widow, and upon her death the the widow, and practive.

bequests become operative.

Actors' Home, New York, \$10,000;
Actors' Fund of America, \$20,000; Annual
Rescue League, Boston, \$5,000; Boston
Children's Aid Society, \$5,000; Boston City
H. spital, \$10,000; Boston Dispensary,
\$10,600; Boston Home for Incurables,
\$5,000; Children's Hospital, Boston, \$10,000;
Barney Hospital, Boston, \$5,000; Home
for Aged Couples, Boston, \$5,000; Home
for Aged Men, Boston, \$5,000; Home for
Aged Women, Boston, \$5,000; Home for Little
Wanderers, \$25,000; Massachusetts General H spital, \$10,000; Young Men's Christian Union, B. ston, \$5,000.

Engineering Likely.

schools of applied science is acted upon favorably at the next meeting of that faculty it is likely that a school of sanitary engineering will be established as part of the engineering branch of the to try the counterfeiting plan in that country but brought granular potential. part of the engineering branch of the university. The plan will have to be approved by the trustees also before the school can be established, but it is said to be reasonably sure of passing that body. Degrees similar to those conferred in other engineering courses will be given. in other engineering courses will be given Columbia has never had a regular school in this branch of engineering, although courses of lectures have been given on the subject from time to time.

It is said that plans are also well under way for a school of forestry. Several courses are already given in this work and it is proposed to organize a regular department around them. The cost to maintain the proposed school is estimated at \$10.000 annually at first, and it is said that a num-ber of subscriptions have already been re-ceived. Permission will probably be granted to the Columbia authorities to use the woods of Palisade Park for field work. It is said that the State will have some general supervision over the work

SOME 3 CENT FARES ANYWAY. Federal Judge Orders Them on Two Franchises in Cleveland.

CLEVELAND, Feb. 27 .- Mayor Tom L. Johnson asserts that a decision filed today by Federal Judge L. C. Knappen of Grand Rapids, called here to determine temporarily a question as to the life of (Lucky) Baldwin, the noted turfman and the Woodland and West Side franchises plunger, was in a worse condition menof the Cleveland Railway Company, of the Cleveland Railway Company, establishes that other franchises which the Cleveland Railway insists have a long life soon will expire. Expirations open the way for the granting of three cent fave franchises by the City Council, dominated by Johnson.

I referred Judge Taylor, determining time.

dominated by Johnson.

Federal Judge Taylor, determining the fare to be charged under the receiversbip, ordered three cent fare on the Woodland and West Side grants temporarily

PADLOCKED BOX MYSTERY

FORGOTTEN CHEST SUPPOSED TO HOLD A CORPSE.

Health Department Seizes It After Hearing the Story of an Undertaker, Who Says He Chiselled an Iron Door to press my sympathy

A padlocked iron box supposed to contain a corpse by the Health Department and does not believe that better policemen who seized it yesterday at the undertaking rooms of Theodore Palumbo to bring better thinys about. The spirit of at 247 Mulberry street, was taken to the hypercriticism and the uncompromising at-Willard Parker Hospital at the foot of East Sixteenth street for examination.

The information on which the seizure full realization of the highest ideals and the The information on which the seizure

was made came from Joseph J. McMahon. who is employed by Paul A. Giudetti, an who is employed by Paul A. Giudetti, an ress. Constant criticism and constant undertaker at 237 Mulberry street, and a pessimism are productive of paralysis rival of Palumbo's

whom he formerly worked, to the Warhe had given the letter unsigned to Mr. Bradford and I naturally supposed that that would end the matter.

"I went to the Capitol and was busy about the duties of the office an some time after 3 o'clock I was signing some State bonds, Mr. Blake, the secretary of the Funding Board, was there. While I was deing this the telephone bell rang. Lapswered it and the communication was large was defined that the communication was large was defined to the communication was large was defined to the communication was large was defined to the communication was large whom he formed worked, to the was large whom he formed worked, to the was large whom he formed worked to the fund that concern at 184 West street, Brooklyn, with an order for an anatomical specimen. There he met a man he did not know to whom he had been directed. The man helped him to break open an iron door and take from the room the 3 by 9 metal box seized yesterday. McMahon took it to Palumbo's. den-Clark Company, a chemical concern break open an iron door and take from the VICTIM OF STRANGE DISEASE. day. McMahon took it to Palumbo's.

That was two months ago and the box was found yesterday untouched. The Warden-Clark Company went out of business and the box was left on Palum- much puzzled over the condition of Benbo's hands.

McMahon further asserts that the box contains a body upon which experiments were being made with a new process of embalming by an Italian who came to this country for that purpose.

Dr. Alonzo Blauvelt of the Department of Health, who signed the order on which the seignes was made, said lest night.

Undertaker Palumbo was found at his

Most of the \$1,000,000 Estate Goes to an institution for the Blind.

Boston, Feb. 27.—The will of the late Eugene Tompkins, the theatrical manager, disposing of an estate of more than \$1,000,000, makes the Perkins Institute for the Blind a beneficiary to the extent of \$750,000 on the death of the widow, who

"It took six men to get it into a wagon. Bequests are made to the extent of \$31,000 to former members of the staff of this way and that, and there was no moveknow had there been a body in that box I could have told it at once. I have called up the Willard Parker Hospital people. They laughed at my queetion as to a body and assured me that it was absurd. "That is all that I know about the matter. Mr. Tocci may know more than I do, but he cannot be reached to-night."

COUNTERFEIT PLOT EXPOSED. Scheme to Flood the Argentine Republic With Bad Paper Money.

INDIANAPOLIS, Feb. 27.-Through the arrest of Robert E. Scott by Federal secret service officers here a c.neme to flood the Argentine Republic with coun-Aged Women, Boston, \$5,000; Industrial School for Crippled and Deformed Children, Boston, \$10,000; Home for Little Wanderers, \$25,000; Massachusetts General H. spital, \$10,000; Young Men's Christian Union, B. ston, \$5,000.

After paying these bequeets the residue is given to the Institute for the Blind.

NEW COLUMBIA COURSES.

Departments of Forestry and of Sanitary Engineering Likely.**

Blood the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with counterfeit money was nipped in the bud and efforts are now making to compass the arrest of a prominent Government official of the Argentine Republic with compassion was to pay him \$40,000 for having photographic plates and prints made of bank notes of the republic. Scott was tried before a United States Commissioner, confessed his guilt and being unable to give bend is now in jail.

According to Scott's story, he is the owner of a considerable amount of stock in a sopport miner to a compassion was to pay him \$40,000 for having photographic plates and prints made of bank notes of the republic south and the argentine Republic with a compassion was to pay him \$40,000 for having p

If a plan proposed by a committee and there became acquainted with the of the faculty of the Columbia University Argentine official. He said the official country, but brought genuine notes here, had the plates made from them and was soon to return with the plates. He says he was to get \$40,000 for his part

MacVeagh Preparing to Qualify.

CHICAGO, Feb. 27.-Franklin MacVeagh is to meet the requirements of the Federal statute of 1789 relative to the Secretary of the Treasury's affiliations by disposing of his interests in Franklin MacVeagh & Co. to his partners. When he goes to Washington to assume his portfolio he will have no monetary interest in the business which organized and of which he has been

School Principal Dies Suddenly.

Charles M. Babcock, principal of Public School 3, at 157th street and Courtland avenue, died suddenly last night at his residence, 71 East Ninety-third street. About 10 o'clock he complained of feeling ill. Mrs. Babcock tried to call a physician, but before she had succeeded in getting a response Mr. Babcock was

Lucky Baldwin Worse, Then Better, Los Angeles, Cal., Feb. 27.-E. J.

Pouren Hearing.

Jan Janoff Pouren, the Russian refugee, had another brief hearing yesterday before United States Commissioner Hitch-conding the length of these lines at various times does not extend the life of the entire franchise, as maintained by the Cloveland Railway.

Mayor Johnson declares that the decision will open St. Clair, Superior and Payne avenues, three big lines, to three cent fare next January. Jan Janoff Pouren, the Russian refugee,

OPTIMISM SUITS TAFT.

Reading Pessimistic Pieces Takes the Enthusiasm Out of a Man, He Says. The Rev. Dr. Thomas R. Slicer has reeived this letter from President-elect

Taft, dated at Cincinnati, February 18:

MY DEAR MR. SLICER: I have your letter of February 11 and am glad to ex-Get It-But His Tale Is Denied, the Optimist Club and the Optimist's Magagine toward the present conditions. The man who does not hope for better things rejection of any compromises which accomplish good are all likely to retard prog-No one who wishes to According to McMahon he was supplied do anything and bring about real reform with a chisel and sent by Palumbo, for should allow himself to read from day to day editorials and other printed articles critical, for nothing will so take out of him the enthusiasm necessary to successful effort as the reading of such matter. Very sincerely yours, WILLIAM H. TAFT.

Young Man Falls Into a Deep Sleep and Remains in That Condition for Days. PHŒNIXVILLE. Pa., Feb. 27. - Physicians of the Phœnixville Hospital are several days. All methods of resuscitation have failed to revive him.

Freeman on February 15 boarded a southbound Pennsylvania train at Pottstown and immediately fell into a deep sleep. The conductor's efforts to awaken him proved unavailing. At Phoenixville he was removed from the train and taken in an ambulance to the hospital. He remained in a semi-conscious state until last Wednesday evening, when he regained lucidity, during which period he told the doctors that his name was Benjamin Freeman, a son of a wealthy Boston manufacturer, and that he had left his home because of trouble between his stepmother and himself.

At that time his aim was to go into the world and shift for himself, he said. He also declared that he has been a victim of

a disease which caused him to fall into deep sleep regardless of the time and place. After a brief period of conscious-ness he relapsed into sleep again.

YOUNG HARGIS LOCKED UP Following a Rampage in Which He Held I p a Bank Cashler for \$25.

LEXINGTON, Ky., Feb. 27.-Beach Hargis was to-day surrendered to the jailer o Estill county by his bondsmen, Floyd and John Day, his uncles, and Dr. W. P. Hogg, his brother-in-law, and was locked up in the jail at Irvine to await his second trial for the murder of his father, Judge James Hargis, which is set for April 19 next.

The end of the freedom of young margis on bail was brought about by his escapade at Jackson last night and this morning. He left the home of his mother and entered a hall where a dance was going on and threw the occupants into a state of wild excitement by attempting to kill Arch Crawford, his cousin. He The end of the freedom of young Hargis a state of wild excitement by attempting to kill Arch Crawford, his cousin. He later mounted a horse formerly the property of his father and raided a "blind tiger" camp near Jackson, and still later he entered the Jackson Deposit Bank and flourishing a pistol secured \$25 from the cashier.

the cashier.

As he left the bank he ran into Deputy As he left the bank he ran into Deputy Sheriffs Gray, Haddox and Flint Davis, who were looking for him. The officers got the drop on Hargis and he surren-dered.

JUDGE RICHARDS DYING. lle Is Judge of Federal Circuit Court of Appeals, Sixth Circuit.

CINCINNATI, Feb. 27 .- Judge John H. Richards of the United States Circuit Court of Appeals for the Sixth circuit comprising the States of Ohio, Kentucky. Tennessee and Michigan, is at the point of death to-night at his home in Walnut Hills, this city. He is unconscious and the end is expected within the next twentyhas been afflicted with it for several years, but it did not affect his labors on the bench until recently, when his physicians ordered a cessation from all labor.

Judge Richards was born in Ironton.

Ohio, on March 15, 1855, and became active and prominent in the politics of Ohio following his admission to the bar. following his admission to the bar. He served in the State Legislature and held various offices. Under the McKinley Administration he became Solicitor-General for the United States and took a prominent part in the proceedings against the trusts. On the promotion of Judge William H. Day to the United States Supreme Court in 1903 Judge Richards succeeded him on the bench of the Circuit Court of Appeals

WOMEN BOOM THE DRY VOTE. How They Helped Prohibition to Win Another Indiana County.

RUSHVILLE, Ind., Feb. 27.-The spectacle of two poorly dressed women, the wives of two well known drunkards, leading their five children through the streets, all of them wearing "Vote yes for me" badges, opened the local option election here this morning, and during the day hundreds of women and children similarly tagged worked at the polls. The result of the work was seen in the

vote when it was reported this evening. the drys having won one of their most notable victories. Every township in the county, even the one in which this city is located, voted dry, and the aggregate majority is 2,000. The wets cast 1,383 votes and the drys 3,392.

Miss Isabella Rice, a Broadway, New York, evangelist, who spoke here Thurs-day night on "The Blight of Prohibition." worked for the wets, wearing a bade on which was the inscription "Vote wet but the temperance people say that she made votes for them, especially among the prohibitionists, who had before been

DIES AFTER TURKISH BATH Apoplexy Takes Off R. H. House, a Salesman From Cincinnati. Robert H. House, a travelling sales-

man for the Cincinnati Coat and Suit Company of 312 Race street, Cincinnati, was found deed yesterday afternoon in a room at the Lafayette Baths. Ap-parently death was the result of apo-pexy. Mr. House, who was about '5 years old, went to the baths on Friday night and after coming out of the plunge

About 3:30 o'clock yesterday afternoon L. M. Cronk, the manager of the baths, became alarmed because Mr. House had not been heard from and caused the door of his room to be forced

GAS MONEY IS COMING BASY

IF YOU HAVEN'T MOVED SINCE YOU PAID FOR THE GAS.

You Have Moved You'll Have to Prove You're Entitled to What You Claim -First Cheeks to-the Last Addresses

in Books to Be Mailed To-morrow The work of redistributing the overcharges paid by gas consumers since the 80 cent gas law went into effect will be begun to-morrow morning, when the first baten of checks will be mailed from the nine bureaus scattered over the city. Suffern & Son, a firm of public accountants, will supervise the work and Henry J. Cochran of the Suffern firm has been appointed auditor by Justice Lacombe and will have an assistant at each bureau The balances shown by the books of the companies to be due to the consumers are to be audited and checks mailed to the last address shown on the books. The arrangement takes no account primarily of assignments and change of address of consumers. In other words, the auditors are to pay out the money as it is shown on the books of the com panies, unless it is proven to them that a claim has been assigned or that a consumer has moved; and the court has decided that the liability of the companies ceases when the checks have been mailed.

This puts it distinctly up to the assignee jamin Freeman, 20 years old, son of a to put in their claims, properly attested wealthy Boston manufacturer, who has and in accordance with forms furnished been in a state of semi-consciousness for by the auditors; and any consumer who has moved since he paid his money will have to apply to the bureau which is to handle his claim and prove by a similar method that the money ought to be mailed to another address. No money will be paid out at the bureaus directly-claims will be left there, the necessary changes made in the companies' books and the checks made out and mailed in accordance with those changes.

One of the causes of trouble will be the accounts of those who have used the prepayment meters'-the quarter in the slot machines. Receipts have been given to these consumers as to the others showing the overcharge and these receipts must be presented and claims put in on blanks furnished by the auditors In order that there may not be a congestion of people in the offices of the various distributing points these blanks will be given out and the customers asked to fill them out and mail them to the audi

BETWEEN THEM CRONK'S SAVED Friend Braves the River for Him-Police men Pull Both Out.

John Hurley went upstairs in the house at 735 Washington street last night to have a talk with his friend, Edward Cronk, who hasn't been very well of late. Hurley suggested that it would be a good thing for Cronk if the two should go for a walk along the waterfront. Cronk acquiesced.
They strolled to the foot of Bloomfield

street and sat down on a stringer which edges a dock. There Cronk complained

"I guess, John," said he, "I'll have to go back to my room. I'm not very well." He started to get up, but the dizzinese came upon him and he fell into the North River. Hurley pulled off his coat and dived. The tide was running pretty strong, and by the time he got to Cronk they were yards away from the dock and the current was pulling them farther from it all the time. it all the time.

it all the time.

Hurley struck out as best he could, pushing his burden. The cold and the tide put the odds against him. He set up a yell. Patrolman John Kelley in West street heard it and rapped for help. Patrolman Murray ran up in a minute and the two made for the dock.

They looked over the edge of the pier and saw Hurley doing his best to reach the piling. He was only a few feet away, but he seemed to be weakening. The two policemen cast about for something

Murray ran for an ambulance, while four hours. The ailment which is proving fatal is Bright's disease. The Judge respiration in Cronk. An ambulance came from St. Vincent's Hospital. Cronk's

Save Only Millionaires Could Afford to Criticise Public Officials.

the indictment of the editors of the New are not that cruelty against which the law York World and the Indianapolis News for libel by the Government, William Jennings Bryan last night said that it is party must bear in some degree the cona dangerous attempt to destroy the free-"I think," he said, "that Congress should

court the power to entertain a suit such as the President is trying to bring. If the courts much injustice may be suffered the Government can be made to take up such a case only a millionaire will be able furnish cures for all the miseries of human to criticise the Administration, and he life. They redress or punish gross violawon't dare unless he is willing to give up his millions in defence of himself. The ordinary remedies for slander or libel provided by the States are sufficient for any redress for Mr. Roosevelt or others criticised. But to place the entire machinery of

the Government into motion just because a few men have been criticised is going too far. To establish such a precedent would be dangerous and the error thus established would be great. It would be using the Government to suppress criticism of individuals and of work concerning which the people as taxpayers have the right to raise questions.

TWO FROM PITTSBURG

Miss the Baltie-One Brother Lands Hospital, one in Court.

Patrick J. O'Leary and his brother, Joseph, set out from Pittsburg on Friday had done pretty well in this country and were going to take a rest. They bought tickets for the Baltic, which was due to sail at 11 o'clock yesterday. Time lay heavy on their hands and they started out to see the sights of West street. Most of the New York, Westchester and Boston Company is now controlled by the New Haven Railroad Company. In The Bronx the crmpany has already completed a large section of the road at a cost of \$1,000,000.

heavy on their hands and they started out to see the sights of West street, most of which they found in bottles.

Shortly after 12 o'clock coseph made his way hesitatingly to Pier 48 and was much astonished to find the Baltic gone. He set up a howl and Policeman Flynn gathered him in and sent him to St. Vincent's hospital suffering from alcoholic comia. Patrick turned up in the night court not so comatose and was let go.

The work was started to-day on Randolph street in New Rochelle, where a deep cut is to be excavated. Fifty men and a large number of teams were put to work and on Monday steam shovels will be placed in operation. The company's franchise in New Rochelle would have expired on March 1 if work had not been started to-day.

FOR NEW HARRIMAN LINE.

Another Spell of Excise Activity in Bay-Chief of Police John Yore of Bayonne

instructed the cops last night to notify every saloon keeper in town that the Bishops' law is going to be strictly enforced to-day. The cause of the bestirring and Joseph Franko, miners, were blown to pieces late yesterday afternoon in the Taylor mine of the New Jersey Zinc Company at Franklin Furnace. Nelick was 25 years old and leaves a widow and one child. Franko had been in this country but a week after returning from Poland, where he had gone to take his family to their old home. The men had been as signed to set off two blasts. One went off properly and the two were trying to off properly and the two hearts off properly and the two were trying to off properly and the two were trying to find out what was the matter with the second one when it went off.

Instructed the cops last night to notify every saloon keeper in town that the Bishops' law is going to be strictly enforced to-day. The cause of the bestirring is the charge made by Councilman Neil O'Mahoney, himself a seloon keeper, that more bottled beer is sold by grocers and through the Sierras and afterward abandoned for the Peeper that more bottled beer is sold by grocers and the solon properly and the selection of the least provide the was surveyed for the Wester Pacific of the was surveyed for the Wester Pacific of the was surveyed for the Wester Pacific of the w instructed the cops last night to notify

How Elbert Hubbard

Became A Pianolist Elbert Hubbard, in telling of the difficulties he encountered in writing his most successful book ("Little Journeys to the Homes of Great Musicians").

describes his experience with the Pianola as follows:

* * * "A few days after this I lectured playing for half an hour I would write, in a town on the same evening that Paderewski played there. We stopped at the same hotel. I cut my spiel a little short, so to hear his last piece. He knew I was coming in late, and like the true gentleman that he is, he added two numbers to his program, just for me.

"After the recital we had a little Dutch Lunch, and I told him of my experience with the 'Wagner'. 'If I could hear you play every day, I could write some Good Stuff', I said.

"He smiled, replied, 'Buy a Pianola, and play for yourself.'

"The next day I was in New York and met Rev. Hugh Pentecost, orator, thinker, poet and honest man. I told him of what Paderewski had said. 'Good', he replied, 'come home and have dinner with me and I'll play my Pianola for you.'

"That evening Hugh played for me, and the next day I bought a Pianola. I began on Wagner, and the satisfaction I got out of playing was for me a glad surprise. I seemed to get acquainted with my man-he was very near to me. I knew his trials, struggles, disappointments, aspirations, hopes, joys. After

and my pencil couldn't keep up with my thoughts.

"Each composer was taken up in the same way. I played his music until I seemed to know the man-I bathed me in sweet sounds. Then I bought another Pianola and put it in the Roycroft Bookbindery, and one of the girls used to play for the workers, to their great delight. think I could write a better series of 'Musicians' now-I have more harmony in my cosmos I hope than I had then, less grump, grouch and growl in my

"Then the Pianola is a better instrument than I at first used. For one thing it has the METROSTYLE, which gives the proper swing to a composition—helps to make plain the thought that was in the composer's mind. The Weber Pianola Piano is a great boon for a Business man -it brings to him the joy and zest of producing the music himself. It is educational and it is a rest and relaxation for tired nerves. It tends to sanity, strength and length of days. Music stirs the imagination to the creative point. And the reason I know is because I have tried it."

CAUTION: There is but one Pianola. Do not make the mistake of supposing that because a music-store sells Piano-players that it sells the Pianola and Pianola Piano. Only the Acolian Company makes the genuine Pianola and Pianola Piano.

THE AEOLIAN CO. AEOLIAN HALL, 362 Fifth Ave. Near 34th Street NEW YORK

DISCOURSE ON MARRIAGE Delivered by Justice Morschauser in Dis-

missing a Separation Suit.

POUGHKEEPSIE, Feb. 27.—In his decision denying a separation to either of the parties in the Orange county separation suit of Laura A. Clark against Niven H. Clark, the trial of which attracted much comment at the time on account of the prominence of the parties and the social issues involved, Supreme Court Justice Morschauser makes some comments of general interest regarding the permanence of the marriage relation. He says:

The parties in this action seem to have a notion that because they have had occasional strifes and unhappy differences they should be separated by law. In this law to keep husband and wife together to encourage separation. That the parties

to throw to them and stumbled upon a pair of boat hooks. Cronk was unconscious when they drew him to the floor of the dock. Hurley was almost exslight causes, or occasional unhappy differences, or when mutual love and affection, suspended. Occasional discord and strife or mutual aversion between husband and wife is not a sufficient ground for a separa-

came from St. Vincent's Hospital. Cronk's condition is serious.

The Court advises the parties to the action to resume their marriage relations and overlook their unhappy differences. The Judge further adds in his opinion, quoting an English case:

These things are high moral offences in the marriage state, undoubtedly-not inno-Indianapolis, Feb. 27.-Speaking of cent surely in any state of life-but still they can relieve. Under such misconduct of sequences of an injudicious connection must subdue by decent resistance or by prudent conciliation; and if this cannot be pass a law expressly denying to any done, both must suffer in silence. And it it be complained that by this inactivity of and much misery produced, the answer is that courts of justice do not pretend to tions of duty, but they go no further. cannot make men virtuous, and as the happiness of the world depends upon its virtue, there may be much unhappiness in it which uman laws cannot undertake to remove.

> WORK ON NEW ELECTRIC ROAD. New Haven Starts Excavating for Line From Port Chester to New York.

MOUNT VERNON, Feb. 27.-After twelve years of promises work was started to-day on the new four track electric rapid transit system at New Rochelle, which will extend from Port Chester to New York. The road, which is being built by the New York. Westchester and Boston Railroad Company, is oractically over the route of the old Port Chester line and will pass through Port Chester, Rye, Mamaroneck, Larchmont, New Rochelle, Mount Vernon and The Bronx to the Harlem River.

The stock of the New York, Westchester.

When Completed He Will Control Last Practical Route Through the Sterras. SAN TRANCISCO, Feb. 27 .- Thirty or more surveyors, believed to be of the



WANTS TO LEAVE MATTEAWAN. S. E. De Angelis's Application Before the

Supreme Court in Poughkeepsle. POUGHKEEPSIE, Feb. 27.-An applica-Separations are not to be tolerated for De Angelis to Judge Morschauser at his Special Term here this morning for De Angelis's release from the Matteawan State Hospital for the Criminal Insane. Mr. De Angelis is a man of distinguished appearance. He applied to Justice Aspinall on February 14 for a writ of habeas corpus, which was made returnable before ity recognized, our prices Justice Morschauser to-day. A previous are as near to cost of Justice Morschauser to-day. A previous application of the same character made

to Judge Seabury was denied after a hearing. Mr. De Angelis is a brother of Justice De Angelis of Utica. He is a native of Utica and claims to be a lawyer. In September, 1907, he shot a woman with either of the parties-for it may exist on whom he was infatuated and her friend one side as well as the other-the suffering and was indicted for assault in the first degree in New York city. He was found to be insane and was committed to Mat-

teawan in December, 1907. In his argument before Judge Morschauser Mr. De Angelis denounced Judge Seabury, exclaiming that he was elevated to the bench by the most wicked coalition known to history. His brother, Justice De Angelis, he said, would rather see him in an asylum than out. Gov. Hughes was under obligations to him, Mr. De Angelis said, because two years ago he took a large sum of money to Buffalo to elect him, but the consideration he expected at his hands he had not received. Mr. De Angelis also accused President Roosevelt of lack of courtesy.

The case was put over two weeks to give Mr. De Angelis time to complete his papers and proof. In his argument before Judge Mor-

Policeman Dies on His Way Home. Policeman J. J. Diffley, a clerk in the dentification bureau at Headquarters, died of pumonary hemorrhages at hoose gesterday while on his way to luncheon. He was passing through East Houston street when the attack came on and collapsed in the drug store of Gustavo Colonnetto at 71 East Houston street.

Diffley lived at 212 East Sixteenth street. He was 37 years old and had been a policeman since September 11, 1901. He had died of pumonary hemorrhages at noon man since September 11, 1901. He had been in rather poor health for some time

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Catalogue Ready

DIED.

HIBSON.—On Friday night, at the Memorial Hospital, Morristown, N. J., Robert Francis Hibson, age 71. Funeral services at the chapel of the First

Presbyterian Church at Morristown, N. J., Monday morning at 11 o'clock. Interment at Cypress Hills Cemetery, Brooklyn. NGFORD .- On February 27, 1900, at Yonkers. N. Y., Flora C., wid S. Langford, D. D.

LEARNED.—On Saturday, February 27, at he residence, 155 West 73d st., Marietta, wife of residence, 185 West 73d st., Marietta, wite of Courtlandt D. Learned.

Funeral services Sunday, February 28, at 3 o'clock, at Grace Church Chapel, Broadway and 10th st. Interment at Pitisfield, Mass.

MACDONALD.—Suddenly, on February 26, 1809, at Liberty, N. Y., Eugene M. Macdonald. editor of the New York Truth Seeker, in his

65th year. Relatives and friends are invited to attend funeral services at N. Y. and N. J. Crematory. North Bergen, N. J., Monday, March 1. at 3 P. M. Take Desbrosses or West 42d st.

ferry to Weehawken, thence to Boulevard. opposite Humbolt st., Union Hill side, PERRY.-On Friday, February 28, 1909, at Fair field. Conn., Dr. Nehemiah Perry, aged 82

Funeral from his late residence, Boxwood Co tage, Fairfield, Conn., on Monday, March 1. at 3:30 P. M.

OBERTS.—On Saturday morning, the 27th inst., at Auburn, Me., Edwin H. Roberts. Funeral and interment at Somersworth, N. H., on Monday, March 1.

THACHER.—On Thursday, February 25, 1909, at Albany, N. Y., John Boyd Thaches.
Funeral service at Clinton Square Presbyterian Church, Albany, Sunday afternoon, WALTER.—On Friday, February 26, 1909, our beloved mother. Louise Walter, widow of

August Walter, aged 81 years, uneral from her late residence, 250 Vernon av., Brooklyn, Sunday afternoon, February 28. at 2 o'clock. Please omit flowers.